

ELECTRONIC FILING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/575,589
Inventor : Fergus Francis Murray
I.A. Filing Date : 10/14/2004
Title : LABORATORY APPARATUS WITH TWO CABINETS
Art Unit : Unassigned
Examiner : Unassigned

Docket No.: : URQUH-73865
Customer No. : 24201

PETITION FOR APPLICATION ON BEHALF OF
NON-SIGNING INVENTOR UNDER 37 CFR 1.47(b) AND MPEP 409.03(b)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. This Petition is being filed with the Office because the joint inventor, Fergus Francis Murray, refuses to sign the Declaration for Patent Application.

2. In accordance with 37 CFR § 1.47(b) and MPEP § 409.03(b), Petitioner, Ruskinn Technology Limited ("Ruskinn"), a Limited company of the United Kingdom, having a place of business at c/o Biotrace Limited, Technology Drive, The Science Park, Bridgend, Mid Glamorgan, CF31 3NA, United Kingdom, respectfully petitions to make application for patent in the above-identified application on behalf of and as agent for the joint inventor FERGUS FRANCIS MURRAY, who refuses to execute the required Oath or Declaration of the inventor (herein "Non-signing Inventor").

3. This Petition is being filed in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated December 1, 2006, and is accompanied by a Declaration for Utility or Design Patent Application, Power of Attorney, and Statement Under 37 CFR 3.73(b).

PROOF OF THE PERTINENT FACTS:

4. This Petition is accompanied by a Declaration of Sue Ratcliffe, a member of the law firm of Urquhart-Dykes & Lord LLP, who is the attorney for Ruskinn Technology Limited of Great Britain, with Exhibit A, personally attesting to the pertinent facts concerning the diligent efforts to obtain the required oath or declaration of the Non-signing Inventor for the present application and the Non-signing Inventor's refusal to execute said oath or declaration. Also included in the Declaration of Ms. Ratcliffe is the last-known address of the Non-signing Inventor.

5. This Petition is also accompanied by a Declaration of Andrew Skin, who is a co-inventor of the Non-signing Inventor and also the Chairman of Ruskinn Technology Limited (Petitioner), personally attesting to the pertinent facts concerning the proprietary interest the Petitioner has in the invention that is the subject of the above-identified application, and personally attesting to the irreparable damage that will be caused to the Petitioner if this application is not accepted by the Office. Attached to Declaration as Exhibit B is a copy of a letter to Mr. Murray re Petitioner proprietary interest in the above-identified application and the invention that is the subject of the above-identified application. Attached to Declaration as Exhibit C is a copy of the "Confidentiality" clause.

6. This Petition is also accompanied by a Declaration of John K. Fitzgerald, attesting to the pertinent facts concerning the diligent efforts to obtain the required oath or declaration of the Non-signing Inventor for the present application and the Non-signing Inventor's refusal to execute said oath or declaration.

7. It is respectfully submitted that application by Petitioner on behalf of the Non-signing Inventor is necessary to preserve Petitioner's proprietary rights in the subject matter of

the application, since the Non-signing Inventor has refused to sign the required oath or declaration, and failure to provide the required oath or declaration would otherwise result in abandonment of the application. Therefore, Petitioner requests that the Office accept the above-identified application.

8. Applicant herewith petitions the Director of the United States Patent and Trademark Office to extend the time for reply to Notification of Missing Requirements dated December 1, 2006 for four (4) months from February 1, 2007 to June 1, 2007. The extension fees will be paid by credit card with this electronic transmission.

8. The appropriate filing fees for this Petition under 37 CFR 1.17(h) is being submitted by credit card with this electronic transmission along with a Submission of Missing Requirements, of which this Petition is a part.

The Director of the United States Patent and Trademark Office is authorized to charge any additional fees and credit any overpayment to Deposit Account No. 06-2425.

Date: May 31, 2007

Respectfully submitted,

FULWIDER PATTON LLP

By: /john k. fitzgerald/
John K. Fitzgerald
Registration No. 38,881

Enclosures
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201